

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Cawthorne et al.

Application No.: 09/423,683

March 20, 2000

Group Art Unit: 1653

Examiner:

Mohamed, Abdel A.

Filed: Title:

Method and Compositions for Treating Hyperlipidemia and Other Conditions

CERTIFICATE OF MAILING

I hereby certify under 37 C.F.R. 1.8(a) that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated below and in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If checked, two copies of this correspondence are enclosed.

Signature

Date of Deposit: January 30, 2004

Brian Morrill

Printed name of person mailing correspondence

1st SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Commissioner for Patents P.O. Box 1450

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Alexan	idia, VA 22313-1430	FEB 1 0 TECH CENTER 160
Sir:		CCH CENTED
This In	nformation Disclosure Statement is submitted:	" - 1 Fil
	under 37 CFR 1.129(a), or	
	(First/Second submission after Final Rejection)	
	under 37 CFR 1.97(b), or (Within three months of filing national application; or date of entry of the national stage in international application; or before mailing merits; whichever occurs last)	date of first office action on the
\boxtimes	under 37 CFR 1.97(c) together with either:	
	a Statement under 37 CFR 1.97(e), as checked below, or a \$180.00 fee under 37 CFR 1.17(p), or	
	(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)	
	under 37 CFR 1.97(d) together with:	
	a Statement under 37 CFR 1.97(e), as checked below, and a Petition under 37 CFR 1.97(d)(2), and	·

00000134 500590 a \$130.00 petition fee set forth in 37 CFR 1.17(i).

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Applicant requests that the attached IDS and cited reference(s) [] be placed in the application filewrapper. (Filed after payment of issue fee)

The listed nonpatent references were cited by the examiner or submitted by the applicant in a counter part European application. \boxtimes

Statement Under 37 CFR 1.97(e)

	Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
	No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
\boxtimes	Enclosed herewith is form PTO-1449, with copies of the nonputent references noted thereon.
	Copies of the reference(s) noted on the enclosed form 1449 were previously cited by or submitted to the Patent and Trademark Office in connection with U.S. Application Serial No. [], from which the present application claims benefit under 35 U.S.C. § 120 (37 C.F.R. 1.98(d)).
Concise	Explanation Requirement (non-English references):
	The "concise explanation" requirement for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
	the explanation provided on the attached sheet. the explanation provided in the Specification. submission of the enclosed International Search Report. the enclosed English language abstracts.
enclose	nuested that the information disclosed herein be made of record in this application, and that the references listed on the d form PTO-1449 appear under the "References Cited" heading of any Patent which issues from this application, 1302.12).
Method	of payment:
	A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply
	No fee is believed to be due for this submission. However Applicant(s) hereby authorize the Assistant Commissioner to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. Two copies of this Statement are enclosed.
\boxtimes	The Assistant Commissioner is hereby authorized to charge any deficiency in fees and credit any overpayment to Deposit Account 50-0590. Two copies of this Statement are enclosed.
	Respectfully submitted,
	BIOMEASURE, INCORPORATED
Dated:	January 30, 2004 Brian R. Morrill, Attorney for Applicant(s) Registration No.: 42,908

27 Maple Street Milford, Massachusetts 01757 Phone 508/478-0144

Facsimile: (508) 473-3531

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DOC ID	NO.:		ત્રી			Sheet 1	of 1	
PTO-1449 REPRODUCED FEB 0 2 2004			ATTORNEY DOCKET NO. 00537/163002					
	INFORMATION DESCLOSURE CENTION IN AN ASSOCIATION		APPLICANT CAWTHORNE, et al.					
	(Use several sheets if necessary)			FILING DATE March 20, 2000	FILING DATE GROUP / EXAMINER			
			U.S.	PATENT DOCUMENTS	- <u> </u>	-		
EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE	
	AA	5,708,135	1/13/1998	Coy, et al.				
	АВ							
	AC							
	AD							
	AE							
	AF							
	AG			·				
	AH							
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	AK		_					
			FOREIG	N PATENT DOCUMENTS				
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AL	0 389 180 A1	9/26/199	0 Europe				
	AM					HE(EIVED	
	AN						1 0 2004	
	AO					ECH CEN	ER 1600/29	
	AP						-n 1000/239	
	AQ							
		OTHER DOCUMENTS	(Including Au	thor, Title, Date, Pertin	ent Pages,	Etc.)		
	AR	Ginsberg, et al., "Effect of Somatostatin-induced Suppression of Postprndial Insulin Response upon the Hypertriglyceridemia Associated with a High Carbohydrate Diet," 1982, J. Clinical Invest. 70:1225-1233.						
	AS	Pointner, H., et al., "Somatostatin Inhibits the Increase of Serum Triglyceride Concentration Following a Test Meal," 1976, Scan. J. Gastroenterology 2:51.						
EXAMI	NER		·	DATE CONSIDERED				